

DAVID MAZAROLI (22) 732-7352

DLM REF.: 8XRX-1635

WAIVER OF SERVICE OF SUMMONS

TO: David L. Mazaroli, Attorney for Plaintiff

I acknowledge receipt of your request that I waive service of a summons in the action of FIREMAN'S FUND INSURANCE CO. v. ANTHONY AUGLIERA, INC. which is case number 08 CIV. 3770 (PKC) in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without costs to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after April 23, 2008, or within 90 days after that date if the request was sent outside the United States.

COURT CLERK BY JULY 15, 2008

ASSERT ANY FURTHER EXTENSIONS
SHOWING OF GOOD CAUSE.

Anthony Augliera, Inc.
34 Hamilton Street
West Haven, CT 06516

FILED WITH THE
WITH COPY TO ITS ATTORNEY
GRANTED BY THE COURT. UPON

6/10/08
Date

Signed:
Name:

Title:

Company:

DONNA M. RUSSO, ESQ.
LAW OFFICES OF DM RUSSO, ESQ.
ATTY FOR DEFENDANT
ANTHONY AUGLIERA, INC.